

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Group Art Unit: 1626  
MOMODA; MATSUOKA; NAGOU ) Examiner: A. SMALL  
Serial No. unknown )  
Filed: February 19, 2002 )  
For: CHROMENE COMPOUNDS

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

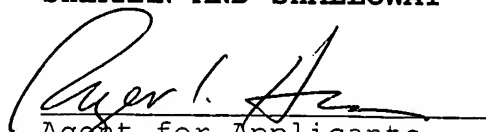
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Filing Receipt;
- (2) Transmittal Letter;
- (3) Fee Transmittal Form PTO/SB/17;
- (4) Utility Patent Application Transmittal Form PTO/SB/05;
- (5) Power of Attorney;
- (6) Divisional Application;
- (7) Preliminary Amendment;
- (8) Appendices A, B, C, & D;
- (9) Return Postcard;
- (10) Executed Declaration;
- (11) Transmittal Letter Concerning a Filing Under 35 U.S.C. 371 Form PTO-1390; and
- (12) Check in the amount of \$1,244.00 for new utility application.

Please charge any additional fees, or credit any overpayment, in connection with this matter to deposit Account No. 19-1980.

Respectfully submitted,

SHERMAN AND SHALLOWAY

  
Agent for Applicants  
Roger C. Hahn  
Reg. No. 46,376

SHERMAN AND SHALLOWAY  
413 N. Washington Street  
Alexandria, Virginia 22314  
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02/19/02  
JC942 U.S. PTO

10069168 02/19/02  
PCT/PTO 19 FEB 2002

FORM PTO-1390  
(REV 10-2000)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

SPO-587

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/069168

PRIORITY DATE CLAIMED  
3 JUNE 1999

INTERNATIONAL APPLICATION NO.  
PCT/JP00/03458

INTERNATIONAL FILING DATE  
29 MAY 2000

TITLE OF INVENTION

CHROMENE COMPOUND

APPLICANT(S) FOR DO/EO/US

Junji MOMODA, Shingo MATSUOKA, Hironobu NAGOU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

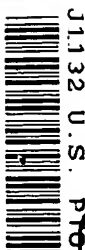
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Copy of PCT/IB/308  
Two (2) sheets drawings

JC986 U.S. PTO

10/069168

02/19/02

02/19/02



U.S. PATENT AND TRADEMARK OFFICE

10/069168  
Rec'd PCT/PTO 19 FEB 2002

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Unknown

First Inventor

MOMODA, et al.

Title

CHROMENE COMPOUNDS

Express Mail Label No.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 56]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 58]
- a. ☐ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- b. ☒ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09,762,112

Prior application information:

Examiner: A. Small

Group Art Unit: 1626

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or

☐ Correspondence address below

Name

SHERMAN &amp; SHALLOWAY

Address

413 North Washington Street

City

Alexandria

State

Virginia

Zip Code

22314

Country

USA

Telephone

703-549-2282

Fax

703-836-0106

Name (Print/Type)

Roger C. Hahn

Registration No. (Attorney/Agent)

46,376

Signature

Date

02/19/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC Rec'd PCT/PTO 19 FEB 2002

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)  
1244.00**Complete if Known**

|                      |               |
|----------------------|---------------|
| Application Number   | Unknown       |
| Filing Date          | 02/19/2002    |
| First Named Inventor | Momoda, et al |
| Examiner Name        | A. Small      |
| Group Art Unit       | 1626          |
| Attorney Docket No.  | SPO-587/DIV   |

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

|                        |                     |
|------------------------|---------------------|
| Deposit Account Number | 19-1980             |
| Deposit Account Name   | SHERMAN & SHALLOWAY |

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     | 740.00   |
| 106 330                    | 206 165                    | Design filing fee      |          |
| 107 510                    | 207 255                    | Plant filing fee       |          |
| 108 740                    | 208 370                    | Reissue filing fee     |          |
| 114 160                    | 214 80                     | Provisional filing fee |          |

SUBTOTAL (1) (\$)  
740.00**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 9            | -20** = 0    |                |          |
| 9            | -3** = 6     | 84.00          | 504.00   |
|              |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |
| 109 84                     | 209 42                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)  
504.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Fee Code   | Large Entity Fee (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|------------|-----------------------|----------------------------|--|----------|
| 105 130    | 205 65                |                            | Surcharge - late filing fee or oath  |          |
| 127 50     | 227 25                |                            | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130    | 139 130               |                            | Non-English specification  |          |
| 147 2,520  | 147 2,520             |                            | For filing a request for ex parte reexamination                            |          |
| 112 920*   | 112 920*              |                            | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840* | 113 1,840*            |                            | Requesting publication of SIR after Examiner action                        |          |
| 115 110    | 215 55                |                            | Extension for reply within first month                                     |          |
| 116 400    | 216 200               |                            | Extension for reply within second month                                    |          |
| 117 920    | 217 460               |                            | Extension for reply within third month                                     |          |
| 118 1,440  | 218 720               |                            | Extension for reply within fourth month                                    |          |
| 128 1,960  | 228 980               |                            | Extension for reply within fifth month                                     |          |
| 119 320    | 219 160               |                            | Notice of Appeal   |          |
| 120 320    | 220 160               |                            | Filing a brief in support of an appeal                                     |          |
| 121 280    | 221 140               |                            | Request for oral hearing   |          |
| 138 1,510  | 138 1,510             |                            | Petition to institute a public use proceeding                              |          |
| 140 110    | 240 55                |                            | Petition to revive - unavoidable   |          |
| 141 1,280  | 241 640               |                            | Petition to revive - unintentional   |          |
| 142 1,280  | 242 640               |                            | Utility issue fee (or reissue)   |          |
| 143 460    | 243 230               |                            | Design issue fee   |          |
| 144 620    | 244 310               |                            | Plant issue fee  |          |
| 122 130    | 122 130               |                            | Petitions to the Commissioner  |          |
| 123 50     | 123 50                |                            | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180    | 126 180               |                            | Submission of Information Disclosure Stmt                                  |          |
| 581 40     | 581 40                |                            | Recording each patent assignment per property (times number of properties) |          |
| 146 740    | 246 370               |                            | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 740    | 249 370               |                            | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740    | 279 370               |                            | Request for Continued Examination (RCE)                                    |          |
| 169 900    | 169 900               |                            | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)  
1,244.00**SUBMITTED BY**

|                   |                      |                                   |            |           |              |
|-------------------|----------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Roger C. Hahn        | Registration No. (Attorney/Agent) | 46,376     | Telephone | 703-549-2282 |
| Signature         | <i>Roger C. Hahn</i> | Date                              | 02/19/2002 |           |              |

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